

Document #4691

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an ORDER OF TAKING dated **DEC 5 1985** relating to portions of the PARK PLAZA URBAN RENEWAL AREA be executed together with a Plan entitled, "Taking Plan, Park Plaza Redevelopment Project, Boston Redevelopment Authority, Boston, Suffolk County, Mass., dated December 5, 1985," and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the Office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Robert L. Farrell
Joseph J. Walsh
James K. Flaherty

Clarence J. Jones
Michael F. Donlan

A true copy

ATTEST:

Kare Summan
Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 9838, page 294, an ORDER OF TAKING dated August 20, 1981, concerning and describing the PARK PLAZA URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW THEREFORE BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such

fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that i accordance with the provisions of said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Takint to be recorded in the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: DEC 5 1985

BOSTON REDEVELOPMENT AUTHORITY

By:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

ATTEST:

[Signature]
Secretary of the Boston Redevelopment Authority

Approved as to form:

[Signature]
Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

PARK PLAZA URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following sliver parcels of land, all as shown on a Plan entitled, "Taking Plan, Park Plaza Redevelopment Project, Boston Redevelopment Authority, Suffolk County, Mass., dated December 5, 1985," and prepared by Cullinan Engineering Co., Inc., Auburn, Massachusetts, are to be taken by this Order of Taking:

PARCEL 1: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 4,660 square feet, and known as Part 1 on said Plan, from the easterly line of Arlington Street, extending approximately 309 feet easterly along the northerly line of Park Plaza.

PARCEL 2: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 14 square feet, and known as Part 2 on said Plan, on the northerly side from a point approximately 133.50 feet easterly of Arlington Street 900 feet easterly, vertically above the sidewalk from elevation 40.00 to elevation 106.00.

PARCEL 3: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 41 square feet, and known as Part 3 on said Plan, on the northerly side from a point approximately 145.5 feet easterly of Arlington Street, 20.00 feet easterly, vertically above the sidewalk from elevation 103.50 to elevation 139.00.

PARCEL 4: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 14 square feet, and known as Part 4 on said Plan, on the northerly side from a point approximately 168.50 feet easterly of Arlington Street, 9.00 feet easterly, vertically above the sidewalk, from elevation 40.00 to elevation 106.00.

PARCEL 5: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 14 square feet, and known as Part 5 on said Plan, on the northerly side from a point approximately 254.50 feet easterly of Arlington Street 9.00 feet easterly, vertically above the sidewalk from elevation 40.00 to elevation 106.00.

PARCEL 6: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 14 square feet, and known as Part 6 on said Plan, on the northerly side from a point approximately 289.00 feet easterly of Arlington Street 9.00 feet easterly, vertically above the sidewalk from elevation 40.00 to elevation 106.00.

PARCEL 7: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 1,102 square feet, and known as Part 7 on said Plan, on the northerly side from a point approximately 69.50 feet easterly of Arlington Street, 52.50 feet easterly.

PART 8: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 518 square feet, and known as Part 8 on said Plan, on the northerly side 190.00 feet easterly of Arlington Street, 37.00 feet easterly, vertically below the sidewalk from elevation 1.00 to elevation 16.00.

PARCEL 9: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 537 square feet, and known as Part 9 on said Plan, on the northerly side from a point at the intersection with Arlington Street 41.15 feet southerly, 78.50 feet easterly and 8.50 feet northerly, vertically below the sidewalk from elevation 14.00 and continues below.

PARCEL 10: That portion of Park Plaza (formerly Providence Street), Boston Proper, containing approximately 840 square feet, and known as Part 10 on said Plan, on the northerly side from a point approximately 122.00 feet easterly of Arlington Street, 186.60 feet easterly, vertically below the sidewalk from elevation 13.50 and continues below.

PARCEL 11: That portion of Park Plaza (formerly Arlington Street), Boston Proper, containing approximately 12.5 square feet, and known as Part 1 on said Plan, from the northerly line of Park Plaza (formerly Providence Street) extending approximately 17 feet northerly along the easterly side of Arlington Street.

PARCEL 12: That portion of Park Plaza (formerly Arlington Street), Boston Proper, containing approximately 14.00 square feet, and known as Part 2 on said Plan, on the easterly side from a point approximately 7.49 feet northerly of Park Plaza, 9.00 feet northerly, vertically above the sidewalk from elevation 40.00 to elevation 148.00.

PARCEL 13: That portion of Park Plaza (formerly Arlington Street), Boston Proper, containing approximately 13 square feet, and known as Part 3 on said Plan, on the easterly side from a point approximately 28.51 feet northerly of Park Plaza, 13.40 feet northerly, vertically above the sidewalk from elevation 51.50 to elevation 96.50.

PARCEL 14: That portion of Park Plaza (formerly Arlington Street), Boston Proper, containing approximately 196 square feet, and known as Part 4 on said Plan, on the easterly side extending 69.87 feet northerly from Park Plaza, vertically below the sidewalk from elevation 15.00 and continues below.

PARCEL 15: That portion of Park Plaza (formerly Boylston Street), Boston Proper, containing approximately 13 square feet, and known as Part 1 on said Plan, on the southerly side from a point approximately 9.27 feet easterly of Arlington Street, 16.00 feet easterly.

PARCEL 16: That portion of Park Plaza (formerly Boylston Street), Boston Proper, containing approximately 40 square feet, and known as Part 2 on said Plan, on the southerly side from a point approximately 34.12 feet easterly of Arlington Street, 20.00 feet easterly, vertically above the sidewalk from elevation 63.00 to elevation 96.50.

PARCEL 17: That portion of Park Plaza (formerly Boylston Street), Boston Proper, containing approximately 40 square feet, and known as Part 3 on said Plan, on the southerly side from a point approximately 154.87 feet easterly of Arlington Street, 20.00 feet easterly, vertically above the sidewalk from elevation 63.00 to elevation 106.50.

PARCEL 18: That portion of Park Plaza (formerly Boylston Street), Boston Proper, containing approximately 40 square feet, and known as Part 4 on said Plan, on the southerly side from a point approximately 275.62 feet easterly of Arlington Street, 20.00 feet easterly, vertically above the sidewalk from elevation 63.00 to elevation 96.50.

PARCEL 19: That portion of Park Plaza (formerly Boylston Street), Boston Proper, containing approximately 1,428 square feet, and known as Part 5 on said Plan, on the southerly side from a point approximately 4.75 feet easterly of Arlington Street, 315.50 feet easterly, vertically below the sidewalk; elevation varies from 14.50 to 12.00 and continues below.

The plan entitled, "Taking Plan, Park Plaza Redevelopment Project, Boston Redevelopment Authority, Suffolk County, Mass., dated December 5, 1985," and prepared By Cullinan Engineering Co., Inc., Auburn, Massachusetts, is to be recorded herewith.

The names of the owners of the parcels hereby taken are unknown.

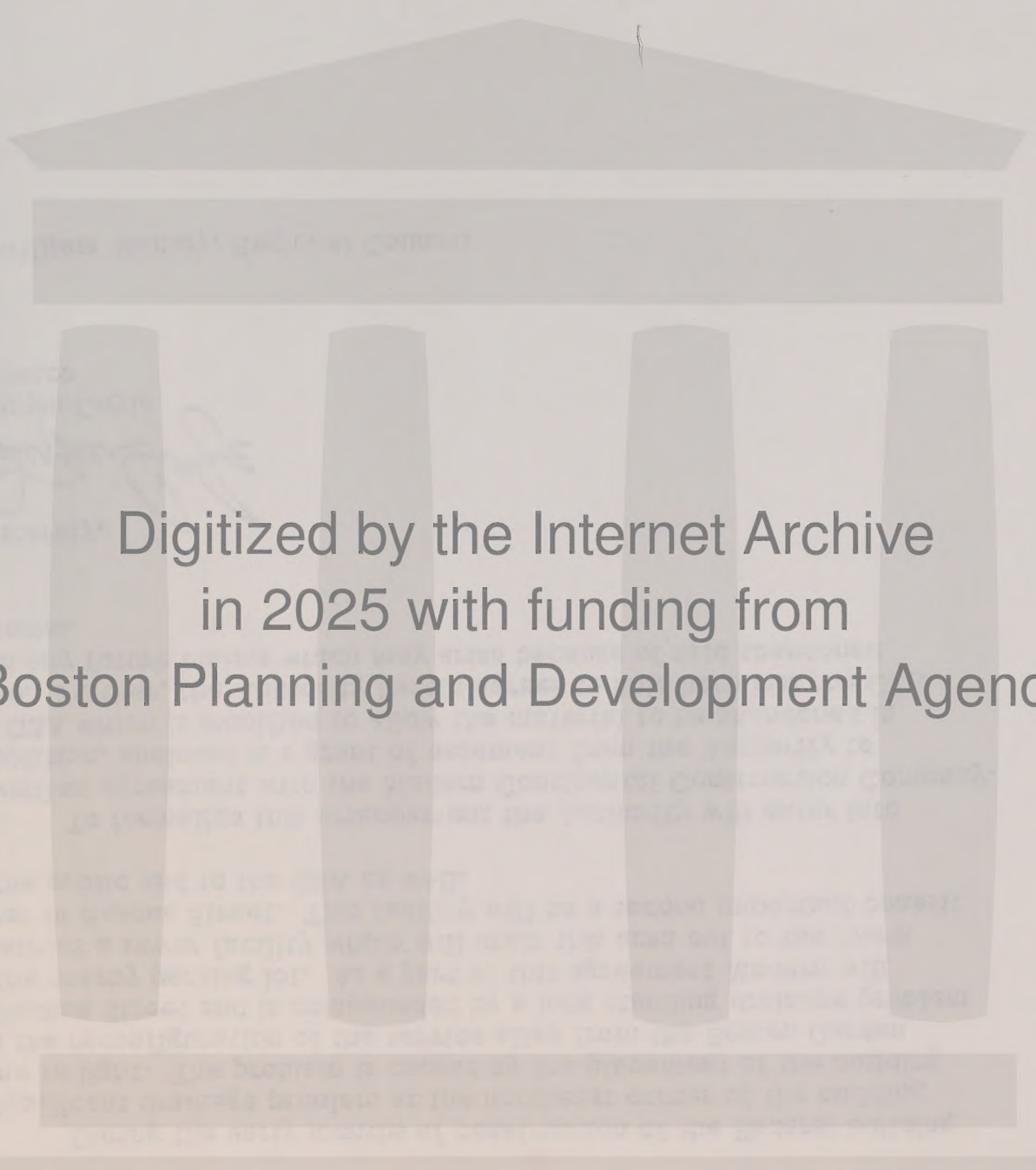
ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

PARK PLAZA URBAN RENEWAL AREA

AWARD OF DAMAGES

An award of \$1.00 is made with this Order of Taking.



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MEMORANDUM

DECEMBER 5, 1985

TO: Boston Redevelopment Authority and
Stephen Coyle, Director

FROM: Martha R. Bailey, Senior Project Coordinator
Ralph J. Cahill, Assistant General Counsel

SUBJECT: **PARK PLAZA-ARLINGTON/HADASSAH SUBPARCEL OF
PARCEL I
ORDER OF TAKING FOR PUBLIC PARCELS**

The Druker Company has completed the assembly of the private parcels for its Heritage on the Garden project with the Authority's recent eminent domain action on the 308-310 Boylston Street property. There are still a number of public parcels which they need for construction of the project and the developer has requested that we confirm title to them by a taking. These public parcels include below-ground discontinuances for foundations, footings and an electric vault and above-ground discontinuances for bay windows as well as fee ownership of two parcels on Providence Street, one for part of the building footprint and one for the site of the proposed outdoor cafe. The below-ground discontinuances total 3,001 square feet; the above-ground discontinuances 244 square feet; and the no limits, or fee ownership, parcels total 5,787 square feet. A full list of the public parcels and a map is attached.

The public parcels are present City streets and sidewalks and their discontinuance for street purposes are on the agenda for action at a meeting of the Public Improvement Commission in December.

It is therefore recommended that the Authority take by eminent domain the public parcels on the attached list and map to complete the assembly of the site for the Heritage on the Garden project.

An appropriate vote follows:

VOTED: That the Authority adopt the Order of Taking for the public parcels related to the final assembly of the site for the Heritage on the Garden project on the Arlington/Hadassah subparcel of Parcel I in the Park Plaza Urban Renewal Area.

A. Park plaza.

<u>Part No.</u>	<u>Area</u>	<u>Purpose</u>	<u>Vertical Description</u>
1.	4660 S.F.	Building	no limits.
2.	14 S.F.	Bay Window	Elev. 40.00 to Elev. 106.00
3.	41 S.F.	Bay Window	Elev. 103.50 to Elev. 139.00
4.	14 S.F.	Bay Window	Elev. 40.00 to Elev. 106.00
5.	14 S.F.	Bay window	Elev. 40.00 to Elev. 106.00
6.	14 S.F.	Bay window	Elev. 40.00 to Elev. 106.00
7.	1102 S.F.	Cafe	no limits.
8.	518 S.F.	Electric vault	Elev. 1.00 to Elev. 16.00
9.	537 S.F.	Foundation	Elev. 14.00 & continues below
10.	840 S.F.	Foundation	Elev. 13.50 & continues below

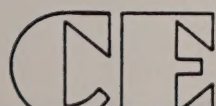
B. Arlington Street

1.	12.5 S.F.	Building	no limits.
2.	14 S.F.	Bay Window	Elev. 40.00 to Elev. 148.00
3.	13 S.F.	Bay Window	Elev. 51.50 to Elev. 96.50
4.	196 S.F.	Foundation	Elev. 15.00 & continues below

C. Boylston Street

1.	13 S.F.	Building	no limits.
2.	40 S.F.	Bay Window	Elev. 63.00 to Elev. 96.50
3.	40 S.F.	Bay Window	Elev. 63.00 to Elev. 106.50
4.	40 S.F.	Bay Window	Elev. 63.00 to Elev. 96.50
5.	1428 S.F.	Foundation	Elev. Varies from 14.50 to 12.00 & continues below

Note: Bay Windows are above ground discontinuances.
 Foundations are below ground discontinuances.
 Electric vault is " " "

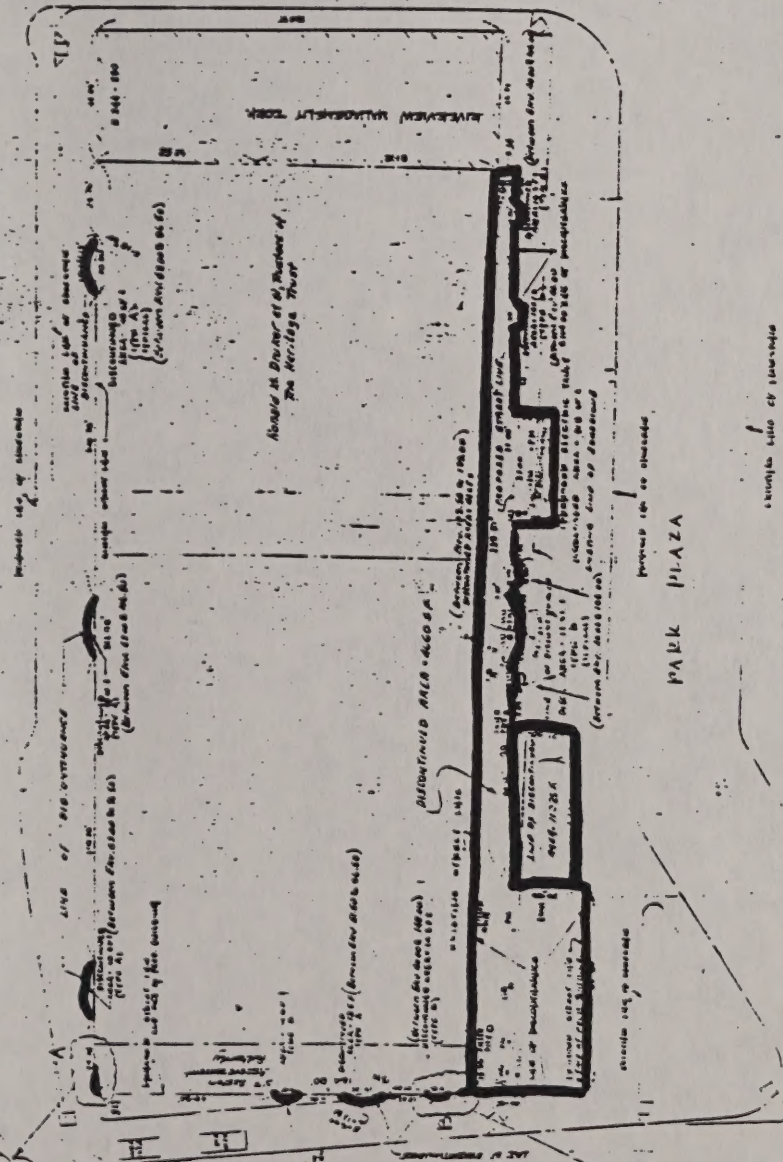


BOYLSTON STREET (PUBLIC)

Section A
proceeding to 40-40-10-075

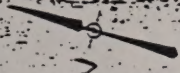
USE OF 100' WIDE
100' WIDE

AKELISTON STREET (PUBLIC)



HARVARD WAY (PUBLIC)

FOUR SEASONS
HOTEL



WITH THE UNIVERSITY OF CHICAGO

CHIEF ENGINEER

P. C. / DESIGN IN VIEW

PROPERTY THAT THIS PLAN HAS BEEN PREPARED IN
CONFORMANCE WITH THE RULES AND REGULATIONS OF
THE BOARD OF PUBLIC WORKS

WALTER TINKER

CITY OF BOSTON

NO. 117 STAMFORD

PUBLIC WORKS DEPARTMENT

ENGINEER

DESIGNED BY

WALTER TINKER

DATE

1907

BY

WALTER TINKER

DATE

1907

CITY OF BOSTON

NO. 117 STAMFORD

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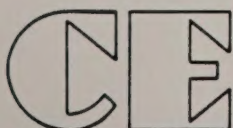
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CULLINAN ENGINEERING CO., INC.

AUBURN - BOSTON, MASSACHUSETTS

CIVIL ENGINEERS — LAND SURVEYORS

100

FOUR SEASONS
HOTEL

PAK PLAZA

10/11/1941

ВЕРНУЛИ НА ПОСЛЕДНИЙ

10.13131 / 10.13131

PUBLIC WORKS DEPARTMENT

I CERTIFY THAT THE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BUREAU OF LANDS FOR SAFFOLK COUNTY.

THIS PLAN BASED ON CROWN SURVEY BY
CULLEN & ENGINEERING CO., INC., AUBURN
BOSTON, MASSACHUSETTS

8-11-68

PROFESSIONAL TRAINING

PREPARED BY
CULLINAN ENGINEERING, LTD., INC.
AUBURN (1) BOSTON (1) WASHINGTON (1)
COMPTON (1) NEW YORK (1) PHILADELPHIA (1)
PITTSBURGH (1) RICHMOND (1) ST. LOUIS (1)
SPRINGFIELD (1) WASHINGTON (1) WASHINGTON (1)

COMPLETED 1/17/78
ALBANY, NEW YORK 12207 (LINDA)

CITY OF BOSTON
PUBLIC WORKS DEPARTMENT

PAUL J. HART
JAMES J. HART

DIAGNOSTIC INFORMATION

THE UNIVERSITY OF CHICAGO

ALL

14567

PROBLEM POSITION

100

1

11.0.11

1870